

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

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**COMSCORE, INC.**, )  
Plaintiff, )  
v. )  
**THE NIELSEN COMPANY (US), LLC,** )  
and **NETRATINGS, LLC** )  
Defendants. )  
\_\_\_\_\_  
)

**Civil Action No. 1:11-CV-290-LMB/TRJ**

**DEFENDANTS THE NIELSEN COMPANY (US), LLC'S AND NETRATINGS, LLC'S  
MOTION TO TRANSFER TO THE NORFOLK DIVISION FOR ASSIGNMENT TO  
THE HONORABLE MARK S. DAVIS**

Defendants The Nielsen Company (US), LLC and NetRatings, LLC (“Nielsen” or “Defendants”) respectfully move this Court to transfer this case (“the Alexandria Case”) pursuant to 28 U.S.C. §§1404(a) and (b) to the Norfolk Division of this District to permit assignment to the Honorable Mark S. Davis. Judge Davis is presiding over the first-filed and related case entitled *The Nielsen Company (US), LLC v. comScore, Inc.*, Case No. 2:11-cv-00168-MSD/TEM (“the Norfolk Case”).

As set forth in the accompanying Memorandum, this case should be transferred to the Norfolk Division to permit assignment to Judge Davis because the Norfolk Case involves the same parties and counsel, the assertion of various patents that, although none is asserted in both cases, all relate to the same technology for monitoring and measuring online and computer activity, and overlapping discovery (the parties have agreed to the cross-use of the documents in both cases). Transfer of this case to the Norfolk Division would serve the interests of justice

because it would allow for the consolidation of these related actions before the same judge, providing for increased efficiency and judicial economy without prejudicing the parties.

Dated: April 29, 2011

Respectfully submitted,

/s/ Walter D. Kelley, Jr.

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Walter D. Kelley, Jr. (VSB No. 21622)  
Tara Lynn R. Zurawski (VSB No. 73602)  
JONES DAY  
51 Louisiana Avenue, NW  
Washington, DC 20001  
Tel: (202) 879-3939  
Fax: (202) 626-1700  
Email: wdkelley@jonesday.com  
Email: tzurawski@jonesday.com

*Of Counsel:*

Tharan Gregory Lanier (*pro hac vice*)  
Joe C. Liu (*pro hac vice*)  
Heather N. Fugitt (*pro hac vice*)  
JONES DAY  
1755 Embarcadero Road  
Palo Alto, CA 94303  
Tel: (650) 739-3939  
Fax: (650) 739-3900  
Email: tglanier@jonesday.com  
Email: jclius@jonesday.com  
Email: hfugitt@jonesday.com

Steven J. Corr (*pro hac vice*)  
JONES DAY  
555 South Flower Street, Fiftieth Floor  
Los Angeles, CA 90071-2300  
Tel: (213) 489-3939  
Fax: (213) 243-2539  
Email: sjcorr@jonesday.com

***Counsel for Defendants The Nielsen Company (US), LLC  
and NetRatings, LLC***

**CERTIFICATE OF SERVICE**

I certify that on April 29, 2011, a copy of the foregoing was filed electronically with the Clerk of Court using the ECF system which will send notification to the following ECF participants:

Stephen E. Noona  
KAUFMAN & CANOLES, PC  
150 W. Main Street, Suite 2100  
Norfolk, VA 23510  
Email: senoona@kaufcan.com

Steven E. Robertson  
Richard L. Rainey  
Kevin B. Collins  
Paul A. Ainsworth  
Lindsay B. Burke  
Brian C. Bieluch  
COVINGTON & BURLING LLP  
1201 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2401  
Email: srobertson@cov.com  
Email: rrainey@cov.com  
Email: kcollins@cov.com  
Email: painsworth@cov.com  
Email: lburke@cov.com  
Email: bbieluch@cov.com

Dated: April 29, 2011

/s/ Walter D. Kelley, Jr.

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Walter D. Kelley, Jr. (VSB No. 21622)  
JONES DAY  
51 Louisiana Avenue, NW  
Washington, DC 20001  
Tel: (202) 879-3939  
Fax: (202) 626-1700  
Email: wdkelley@jonesday.com

*Counsel for Defendants The Nielsen Company  
(US), LLC and NetRatings, LLC*